



February 11, 2003

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## HOUSE BILL No. 1511

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DIGEST OF HB 1511 (Updated February 5, 2003 6:35 PM - DI 92)

**Citations Affected:** IC 14-33.

**Synopsis:** Conservancy district election procedures. Provides that the board of directors of a conservancy district may petition the circuit court to modify the order establishing the district to provide for the election of the directors by the freeholders of their respective districts rather than electing directors at large. Provides that upon receipt of a petition from the board of directors, the circuit court may modify the order.

**Effective:** July 1, 2003.

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### Welch, Lytle, Koch

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January 16, 2003, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.  
February 10, 2003, amended, reported — Do Pass.

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HB 1511—LS 7169/DI 75+



February 11, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## HOUSE BILL No. 1511

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 14-33-2-27 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 27. (a) If the court  
3 orders a district established, the court shall in the order establishing the  
4 district determine the following:

5 (1) The number of directors to serve on the board **and the**  
6 **procedures for the election of the directors.**

7 (2) The division of the district into areas.

8 (3) The time of the annual meeting of the district, which must be  
9 before March 1 each year.

10 **(b) After the district is established, the board of directors of the**  
11 **conservancy district may petition the court to modify its order to**  
12 **change the procedures for election of the directors as provided in**  
13 **IC 14-33-5-2.**

14 SECTION 2. IC 14-33-5-2 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) At each annual  
16 meeting of the district, directors shall be elected to fill vacancies on the  
17 board due to expiration of terms, resignation, or otherwise. The election

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1 shall be conducted by written ballots. **Except as provided in**  
2 **subsection (c)**, to be elected an individual must receive a majority of  
3 the votes of the freeholders of the district who are:

4 (1) present and voting in person; or

5 (2) absent but have mailed or delivered a written ballot vote.

6 (b) A written ballot vote must be signed and mailed or delivered to  
7 the district office. A ballot is valid if delivered or received before the  
8 scheduled date of the annual meeting.

9 **(c) Upon receipt of a petition from the board of directors of a**  
10 **conservancy district, the circuit court may modify the order**  
11 **establishing the district under IC 14-33-2-27 to provide that each**  
12 **director representing an area established under IC 14-33-2-27 shall**  
13 **be elected by a majority of the votes of the freeholders of the**  
14 **respective areas.**

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1511, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 10, after "established," insert "**the board of directors of the conservancy district may petition**".

Page 1, line 10, delete "may" and insert "**to**".

Page 2, line 8, after "(c)" delete "The" and insert "**Upon receipt of a petition from the board of directors of a conservancy district, the**".

and when so amended that said bill do pass.

(Reference is to HB 1511 as introduced.)

BISCHOFF, Chair

Committee Vote: yeas 14, nays 0.

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